

## Message Text

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ACTION EA-10

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FM AMEMBASSY SEOUL

TO SECSTATE WASHDC 1317

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E.O. 11652: GDS

TAGS: PINT KS

SUBJECT: NATIONAL ASSEMBLY

REF: SEOUL 4937

SUMMARY: SEPECIAL NATIONAL ASSEMBLY SESSION ENDED EARLY MORNING JULY 9 AFTER ALL NIGHT SESSION. ASSEMBLY PASSED 19 BILLS, INCLUDING FOUR MAJOR SECURITY RELATED LAWS: THE CIVIL DEFENSE LAW, DEFENSE TAX LAW, PUBLIC SECURITY LAW AND AMENDMENT EDUCATION LAW. GOVT AND NDP HELD SUSTAINED NEGOTIATIONS ON CONTENT OF BILLS DURING WHICH GOVT MADE SIGNIFICANTLY GREATER EFFORT THAN USUAL TO SECURE OPPOSITION COOPERATION IN ENACTMENT OF LEGISLATION. END SUMMARY.

1. MAJOR POINT OF DEBATE WAS OVER SCOPE OF PUBLIC SECURITY LAW, WHICH ALLOWS "PROTECTIVE SURVEILLANCE, CONTROL OF RESIDENCE, AND PREVENTIVE CUSTODY" OF DESIGNATED INDIVIDUALS. OPPOSITION WANTED TO LIMIT APPLICABILITY OF LAW TO FORMER MEMBERS OF COMMUNIST GROUPS AND NORTH KOREAN AGENTS. NDP SUCCEEDED IN EXCLUDING FROM LAW THOSE WHO HAVE BEEN INDICTED OR CONVICTED UNDER THE ANTI-COMMUNIST LAW AND OTHER CONFIDENTIAL

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PRESENT AND FORMER "SECURITY" LAWS BUT WHO NEVER

SERVED PRISON SENTENCES. GOVT ALSO AGREED TO EXCLUDE VIOLATORS OF ARTICLE 4, PARA (2) OF THE ANTI-COMMUNIST LAW (POSSESSION OF PRO-COMMUNIST DOCUMENTS); NDP FAILED IN ATTEMPT TO EXCLUDE THOSE JAILED UNDER ALL PARTS ARTICLE 4 (PRAISE, ENCOURAGEMENT OF ANTI-STATE ORGANIZATIONS).

2. OPPOSITION ALSO ACHIEVED SOME MODERATION OF CIVIL DEFENSE LAW BY REDUCING PUNISHMENT FOR FAILURE TO MUSTER FROM 100,000 WON OR ONE YEAR HARD LABOR TO 50,000 WON OR DETENTION (ONE DAY IN PLACE OF 500 WON). ALL CORPS MEMBERS ARE TO RECEIVE MINIMUM TEN DAYS TRAINING PER YEAR.

3. DEFENSE TAX NEGOTIATIONS RESULTED IN SMALL REDUCTION TOTAL TAX BURDEN AND INCREASE PROPORTION OF TAX LEVIED ON LUXURY GOODS. GOVT ALSO AGREED IN PART TO NDP DEMAND TO RESTORE INSPECTION FUNCTION TO ASSEMBLY BY AMENDING NATIONAL ASSEMBLY LAW TO PERMIT INVESTIGATION, ON SPECIFIC MATTERS, BY ASSEMBLY OR ONE OF ITS COMMITTEES.

4. BY WAY OF BACKGROUND, ASSEMBLY SOURCES HAVE TOLD US THAT AFTER INTENSE NEGOTIATION JULY 7-9 BETWEEN PARTY LEADERS, AND CONCURRENT GOVT PARTY CONSULTATION WITH PRIME MINISTER AND BLUE HOUSE, AGREEMENT WAS REACHED EVENING JULY 9 IN WHICH ALL THOSE CONVICTED UNDER ARTICEL 4 OF ANTI-COMMUNIST LAW WOULD BE EXCLUDED FROM NEW PUBLIC SECURITY LAW; IN RETURN FOR THIS, AS WELL AS FOR AGREED AMENDMENTS TO OTHER BILLS, NDP WOULD VOTE IN FAVOR OF GOVERNMENT BILLS. DEAL REPORTEDLY FELL THROUGH AT LAST MINUTE WHEN NDP LEADER KIM YONG-SAM CAME UNDER FIRE FROM WITHIN PARTY FOR GIVING ACTIVE NDP SUPPORT TO GOVT IN RETURN FOR "MINOR CONCESSIONS." (ASSEMBLYMAN YI TAEK-TON RESIGNED JUNE 10 AS NDP SPOKESMAN, CITING DISAGREEMENT WITH POLICY OF KIM YONG-SAM AS REASON. ASSEMBLY SESSION WAS EXTENDED INTO EARLY MORNING JULY 9 IN ATTEMPT TO OVERCOME DEADLOCK. IN THE END NDP VOTED AGAINST DISPUTED BILLS, BUT GOVT RETAINDD MOST OF

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THE NOGOTIATED AMENDMENTS IN FINAL VERSIONS OF LAWS AND DID PASS MODIIED VERSION NDP INTRODUCED BILL ON PARLIAMENTARY INSPECTION.

5. PRESS QUOTES KIM YONG-SAM AS STATING THAT NDP WILL CONTINUE ATTEMPTS TO ELIMINATE REMAINING ARTICE 4 HFOVISION FROM PUBLIC SECURITY BILL AT REGULAR SEPT ASSEMBLY SESSION. KIM STATED THAT, AS NOW

DRAFTED, LAW SUBJDCTS STUDENTS ANDNOPOSITION  
POLITICIANS FORMERLY JAILED UNDER ANTI-COMMUNIST  
LAW TO SAME RESTRICTIONS AS FORMER NORTH KOREAN  
SPIES.

6. COMMENT: IN DEPARTURE FROM PAST PRACTICE UNDER  
YUSHIN CONSTITUTION, GOVERNMENT HAS MADE SHOW OF MAKING  
AT LEAST SOME CONCESSIONS TO OPPOSITION,  
ALTHOUGH ON BALANCE NEW LAWS,  
INCLUDING CONCESSIONS, INCREASE ROKG CONTROL OVER  
POPULATION. IN RETURN OPPOSITION DID NOT RESORT TO  
CUSTOMARY ACTIONS SUCH AS BOYCOTT OR SIT-IN. RACTICS  
BY BOTH SIDES PROBABLY ARE IN PART A REFLECTION OF  
INCREASED SENSITIVITY TO FOREIGN OPINION IN PRESENT  
ENVIRONMENT OF CONCERN OVER NATIONAL SECURITY AND  
FUTURE OF KOREA QUESTION IN UN. OVERALL OPPOSITION  
WEAKNESS AND EMERGENCY MEASURE NINE RESTRICTIONS ON  
PUBLICITY ALSO LIKELY CONSIDERATIONS IN NDP TACTICS.  
FROM ROKG STANDPOINT, SESSION SEEMS TO HAVE MADE POINT  
THAT GOVERNMENT OFFICIALS HAVE BEEN STRESSING: THAT  
EVEN IN EMERGENCY MEASURE SITUATION, POLITICAL  
ACTIVITY AND LEGISLATIVE PROCESS CAN CONTINUE. FOR  
ITS PART, OPPOSITION MAY TAKE SOME SATISFACTION FROM  
APPEARING ABLE TO EXERT SOME INFLUENCE ON LEGISLATION  
AND POLICY.

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